

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DENA MARIE WILLIS,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of
the Social Security Administration,

Defendant.

CASE NO. 11-CV-06057 RBL-JRC

REPORT AND RECOMMENDATION
ON STIPULATED MOTION FOR
REMAND

This matter has been referred to Magistrate Judge J. Richard Creatura pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Magistrates Rule MJR 4(a)(4), and as authorized by *Mathews, Secretary of H.E.W. v. Weber*, 423 U.S. 261 (1976). This matter is before the Court on defendant's stipulated motion to remand the matter to the administration for further consideration. (ECF No.22.)

After reviewing defendant's stipulated motion and the relevant record, the undersigned recommends that the Court grant defendant's motion, and ORDER that the Commissioner's decision in regard to Plaintiff's applications for a period of disability and disability insurance benefits under Title II of the Social Security Act ("the Act") and for supplemental security income pursuant to Title XVI of the Act be REVERSED and REMANDED pursuant to sentence

1 four of 42 U.S.C. § 405(g) to the Commissioner of Social Security for further administrative
2 proceedings.

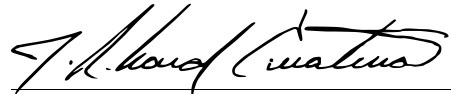
3 On remand, based on the parties' stipulation, this Court recommends that the
4 Administrative Law Judge hold a new hearing and issue a new decision. The ALJ should:

- 5 • update the treatment records on claimant's mental impairments;
- 6 • further evaluate the medical source opinions, including the opinions of
7 David Widlan, Ph.D., and Gerald Peterson, Ph.D., providing the rationale for
8 accepting or rejecting the opinions;
- 9 • further consider claimant's residual functional capacity on the updated record; and
10 • as appropriate, secure supplemental evidence from a vocational expert to clarify
11 the effect of the assessed limitations on the claimant's occupational base.

12 This Court further recommends that the ALJ take any other actions necessary to develop
13 the record. In addition, plaintiff should be allowed to submit additional evidence and arguments
14 to the ALJ on remand.

15 Given the facts and the parties' stipulation, the Court recommends that the District Judge
16 immediately approve this Report and Recommendation and order the case be **REVERSED** and
17 **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g).

18 Dated this 2nd day of October, 2012.

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21 J. Richard Creatura
22 United States Magistrate Judge
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